

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

STEVE WAITHE,

Defendant.

Case No. 21-CR-10342-PBS

**JOINT INTERIM STATUS REPORT AND
REQUEST TO CANCEL STATUS CONFERENCE**

Pursuant to Local Rule 116.5(b), the parties hereby file the following joint interim status report prepared in connection with the interim status conference scheduled for March 17, 2022. The parties request that the March 17, 2022 conference be canceled and that a further interim status conference be scheduled in approximately 60 days.

(1) Automatic Discovery/Pending Discovery Requests

The government provided its first installment of a rolling production of automatic discovery on January 20, 2022. The government expects to make its second significant production within the next week, as well as additional productions on a rolling basis.

(2) Additional Discovery

The parties have conferred with respect to a rolling production of automatic discovery, and the government expects to make a substantial second production within the next week. The government is in the process of continuing to review and produce discovery, including substantial electronic discovery, in accordance with Local Rule 116.1(c). The defendant is in the process of reviewing the discovery produced to date.

(3) Timing of Additional Discovery Requests

With its next production, the government will request reciprocal discovery from the defendant. The defendant is in the process of reviewing discovery and evaluating the need for any additional requests.

(4) Protective Orders

The parties have discussed and agreed in principle to the terms of a proposed protective order, which they expect to seek in advance of the government's next production.

(5) Pretrial Motions

The defendant has not yet determined whether he will file any pretrial motions under Fed. R. Crim. P. 12(b).

(6) Expert Discovery

The Government agrees to provide any expert witness disclosures 21 days prior to trial. The Defendant agrees to provide any expert witness disclosures 14 days prior to trial.

(7) Defenses of Insanity, Public Authority, or Alibi

The Defendant does not intend to raise the defenses of insanity, public authority, or alibi.

(8) Speedy Trial Act

All of the time has been excluded since the defendant's initial appearance through the date of the interim status conference scheduled for March 17, 2022. The parties request that the time be excluded until the further interim status conference.

(9) Status of Plea Discussions; Likelihood and Estimated Length of Trial

The parties have not yet engaged in productive discussions regarding a plea. If a trial is necessary, the parties estimate that a trial in this matter would take approximately seven to ten days.

(10) Next Status Conference

Given all of the foregoing information, including the ongoing production and review of discovery, the parties request that the interim status conference, scheduled for March 17, 2022, be canceled. The parties request a further interim status conference in approximately 60 days.

(continued on next page)

Respectfully submitted,

<p>STEVE WAITHE,</p> <p>By his attorney,</p> <p><u>/s/ Jane Peachy</u></p> <p>Jane Peachy Federal Public Defender Office 51 Sleeper Street, 5th Floor Boston, MA 02210 Jane_Peachy@fd.org 617-223-8061</p>	<p>UNITED STATES OF AMERICA,</p> <p>By its attorney,</p> <p>RACHAEL S. ROLLINS United States Attorney</p> <p><u>/s/ Adam W. Deitch</u></p> <p>Adam W. Deitch Assistant United States Attorney John Joseph Moakley U.S. Courthouse One Courthouse Way, Suite 9200 Boston, MA 02210 adam.deitch@usdoj.gov 617-748-3123</p>
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Dated: March 15, 2022

CERTIFICATE OF SERVICE

Undersigned counsel certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Adam W. Deitch

Adam W. Deitch

Assistant United States Attorney

Dated: March 15, 2022